

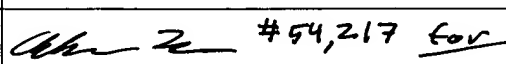


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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/852,229	
	Filing Date	May 8, 2001	
	First Named Inventor	Michael CRISTOFALO	
	Art Unit	2623	
	Examiner Name	H. V. Tran	
Total Number of Pages in This Submission	4	Attorney Docket Number	559442003900

ENCLOSURES (Check all that apply)		
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Firm Name	MORRISON & FOERSTER LLP		
Signature	 #54,217 for		
Printed name	Jonathan Bockman		
Date	June 19, 2006	Reg. No.	45,640



Docket No.: 559442003900  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Michael CRISTOFALO et al.

Application No.: 09/852,229

Confirmation No.: 4955

Filed: May 8, 2001

Art Unit: 2623

For: TECHNIQUE FOR OPTIMIZING THE  
DELIVERY OF ADVERTISEMENTS AND  
OTHER PROGRAMMING SEGMENTS BY  
MAKING BANDWIDTH TRADEOFFS

Examiner: H. V. Tran

**RESPONSE UNDER 37 CFR 1.116**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INTRODUCTORY COMMENTS**

In response to the final Office Action dated April 19, 2006, please reconsider this application in view of the following remarks.

**REMARKS**

Claims 1-7, 9-75, and 77-80 stand rejected under 35 USC 103(a) as being unpatentable over Boucher in view of Boylan. This rejection is respectfully traversed.

As previously described, this application claims methods and systems for increasing the quantity of differentiable programming content in a digital programming stream. This is accomplished by substituting a plurality of digital programming components, such as graphical and